

## IN THE PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Ray D. Kanter

Patent Application

Serial Number 09/617,206

Filed: 7/17/2000

For: SHOCK ABSORBING CARPET SYSTEM

Group Art Unit: 1772

Examiner: Nassar Ahmad

Docket: RKPA4

**AMENDMENT AFTER SECOND OFFICE ACTION  
 TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE  
 PATENTING REJECTION OVER AN ISSUED PATENT**

Assistant Commissioner for Patents  
 Washington, D.C. 20231

Sir:

The owner, Ray Kanter, owner of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on U. S. Patent No 6,090,462 which resulted from a second Patent Application Number 08/971,524, filed on 11/17/97, and of any patent resulting from patent application 08/971,524.

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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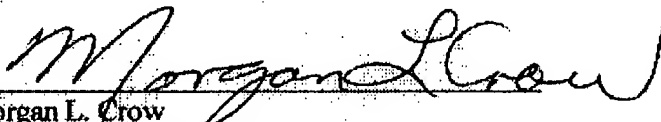
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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is the agent of record.

A form PTO-2038 Credit Card Payment Form completed in the amount of \$55.00 for a small entity, according to 37 CFR 1.20(d) accompanies this disclaimer.

  
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